

REMARKS

Claims 1, 4, 6-12 and 15 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0194663A1 to Li et al., in view of U.S. Patent No. 5,637,143 to Jenkins et al. Claims 2 and 3 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Li '663 and Jenkins '143 and further in view of U.S. Patent No. 5,624,486 to Schmid et al. Claim 5 has been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Li '663 and Jenkins '143 as set forth above and further in view of U.S. Patent 5,688,314 to Rose et al. These rejections are respectfully traversed.

The present invention is directed to an aluminum pigment containing aluminum particles, a molybdenum coat comprising a molybdenum oxide and/or a molybdenum hydrate covering the surface of each of the aluminum particles and a silica coat comprising amorphous silica and/or a coat prepared from a silane coupling agent further covering the molybdenum coat. Thus, the sequence of the various coatings, that is, the fact that the aluminum particles are first covered with the molybdenum coat and then the molybdenum coat is covered with the silica coat, is one of the important features of the present invention. The sequence in which the various coats are applied also, by definition, would form a very important part of the method of manufacturing an aluminum pigment as defined by the present invention. As recited in composition claim 1 and method claim 7 of the present application, a molybdenum coat is first formed on the aluminum particles and then a silica coat is formed on the aluminum particles already coated with a molybdenum coat. As noted on page 11 of the present application, the molybdenum coat which is formed on the surface of each aluminum particle serves as a core for precipitation for

simplifying the formation of the silica coat which further covers the surface of the molybdenum coat. Furthermore, the molybdenum coat has a constant corrosion resistance so that the aluminum pigment containing the molybdenum coat is improved in corrosion resistance. In addition, the molybdenum coat also has the effect of preventing abnormal reaction between a treatment solution (that is, a solution containing water and having a strong alkalinity or acidity) in the presence of forming a silica coat and/or a coat prepared from a silane coupling agent and each aluminum particle covered with the molybdenum coat. Thus, the aluminum pigment as defined by claims 1 and 7 of the present application has the effect that the corrosion resistance is greatly improved by following the specific sequence as recited in both the specification and the claims of the present application.

In rejecting the claims of the present application, the Examiner has always relied upon Li '663 as the primary reference against the claims of the present application. However, it is respectfully submitted that Li '663 does not represent prior art with respect to the Applicants' inventive contribution as defined by the claims of the present application. Thus, Li '663 which was published on October 7, 2004 has a 35 USC 102(e) date of July 1, 2002 which is the date that the corresponding PCT application was filed. On the other hand, the present application which has the U.S. filing date of February 18, 2005 has a PCT filing date of April 28, 2003 and a corresponding priority application which was filed on November 8, 2001. It is respectfully submitted that since the priority date of November 8, 2001 ante dates the PCT filing date of July 1, 2002 of Li '663, it is believed that Li '663 can be removed as an effective reference against the present application.

To establish that the subject matter of the present invention was made prior to the effective date of Li '663, the Applicants are submitting herewith a certified English translation of the priority document which will show that substantially all of the subject matter of the present application as defined by claims 1-12 and 15 of the present application can be found within the four corners of the Japanese priority application JP 2001/343217.

As the Examiner will note, Table A has been created to show where the subject matter of pending claims 1-11, 12 and 15 can be found in the corresponding portions of Japanese Priority document 2001/343217.

Currently Pending Claims	Corresponding Portions in JP '217
1	Claim 1 [0023], [0038] and the like
2	Claim 2 [0026], [0049], [0050] and the like
3	Claim 2 [0026], [0056] and the like
4	Not literally disclosed
5	Not literally disclosed
6	Claim 8 [0035], [0109], [0114] and the like
7	Claim 3 [0027], [0061], [0076] and the like
8	Claim 4 [0028], [0064] and the like
9	Claim 5 [0029], [0084] and the like

10	Claim 6 [0030], 0101] and the like
11	Claim 7 [0031]. [0087] and the like
12	Not literally disclosed
15	Not literally disclosed

Although currently pending claims 4 and 5 may not be literally found in the disclosure of the Japanese priority document, since claim 4 is dependent from claim 1 and since claim 5 is dependent from claim 4 which is in turn dependent from claim 1, and since claim 1 is fully disclosed in the priority document and thus would be allowable over the prior art relied upon by the Examiner, for the same reasons, any claims dependent from claim 1, that is, claims 4 and 5, should also be considered allowable.

In addition, although claims 12 and 15 are not literally disclosed in the Japanese priority document, the first two paragraphs of claim 12 is identical to claim 7 which finds adequate disclosure in the Japanese priority document. Accordingly, the additional subject matter in claim 12, that is the last paragraph thereof, merely represents additional features to subject matter already having the benefit of the Japanese priority document, and accordingly, claim 12 should be considered allowable in the prior art.

Finally, claim 15, which is not literally disclosed in the Japanese priority document, is very similar to claim 12 and thus is allowable over the prior art relied upon by the Examiner for the same reasons as original claim 12.

In any event, the subject matter of claims 4, 5, 12 and 15 all relate to an aluminum pigment in which, on a molybdenum coat, a silica coat is formed, and a coat prepared from a silane coupling agent is further formed thereon, whereby excellent effects can be expected, such as further suppressed reactivity with respect to water, further improved film physical properties and orientation of the aluminum pigment, and the like. Please see in this regard page 13, lines 6 et seq. of the specification of the present application. In contradistinction thereto, Li '663 does not disclose or suggest that a coat prepared from a silane coupling agent is further formed on a silica coat and accordingly, it is believed that for these additional reasons, claims 4, 5, 12 and 15 are clearly patentably distinguishable over Li '663.

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of all the claims of the present application are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch Reg. No. 22,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/525,068
Amendment dated July 23, 2007
Reply to Office Action of March 22, 2007

Docket No.: 0033-0983PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 23, 2007

Respectfully submitted,

By 

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Enclosure: Certified English Translation of
JP 2001-343217